



*Our Children,  
Our Schools,  
Our Future*

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Superintendent  
360-538-2006

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360-538-2007

**Anna C. Shanks**  
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360-538-2004

**Shawn Dickson**  
Special Services  
350-538-2017

**Judy Holliday**  
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**Lynn Green**  
Career & Technical Ed.  
360-538-2039

**Mike Williams**  
Technology  
360-538-2036

*This District is an Equal  
Opportunity Employer*

**November 28, 2010**

**Letter of Appeal  
Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554**

**Reference: CC Docket No. 96-45 and CC Docket No. 02-6**

**Request for Review in reference Funding Request Number 1606491**

The Funding Commitment Adjustment Explanation provided in the Funding Commitment Adjustment Report for FRN 1606491 states:

*After a thorough investigation, it has been determined that funds were improperly disbursed on this funding request. During the course of an audit it was determined that the equipment purchased with e-rate funds was transferred to another facility or entity in violation of program rules. FCC rules do not allow for the transfer of eligible services and equipment components of eligible services purchased at a discount under the program, with or without consideration of money or any other thing of value, for a period of three years after purchase unless the original recipient closes. During the audit it was determined that 3 pieces of equipment were installed at locations not listed on the Form 471 through which they were purchased. Since a review has revealed that equipment was transferred in violation of program rules, USAC must seek recovery of all funds associated with the services, equipment and/or equipment components that were improperly disbursed. Accordingly, USAC is seeking recovery of \$833.00 which was improperly disbursed.*

In this case, while they had been informed of the requirements that all Erate-purchased items shall remain in the location for which they were purchased, a member of the district network support team modified some switch configurations and moved three pieces of equipment to another district facility where he felt the equipment was needed. The equipment in question has been returned to the required location and put into service. A district employee made a mistake, but there was never any intent on the part of the district to circumvent or defraud the program in any way. Procedures have been implemented to assure that all network hardware will be put into service in a timely manner and shall remain in the designated location for a minimum of three years as required. All hardware purchased using Erate funding is designated as such in the district asset tracking system. That hardware is labeled and engraved with its designated location, date of installation and funding year in which it was purchased. In addition, all district technology support staff have received additional training covering Erate requirements. We ask that the decision in this case be reconsidered.

Sincerely,

Mike Williams  
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